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4 August 1995

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GENERAL ASSEMBLY
Fiftieth session
Items 28 and 114 (c) of
the provisional agenda*
HUMAN RIGHTS QUESTIONS: HUMAN
RIGHTS SITUATIONS AND REPORTS
OF SPECIAL RAPPORTEURS AND
REPRESENTATIVES
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 4 August 1995 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a declaration dated 3 August 1995 adopted at the Conference for Human Rights and Humanitarian Issues in Bosnia and Herzegovina held in Istanbul, Turkey, on 2 August 1995.

I would be grateful if you could have the present letter and its annex circulated as a document of the General Assembly, under items 114 (c) and 28 of the provisional agenda, and of the Security Council.

(Signed) İnal BATU
Permanent Representative

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Annex

Istanbul declaration for human rights and humanitarian issues in Bosnia and Herzegovina, issued on 3 August 1995

1. A conference was held in Istanbul on 2 August 1995 hosted by the Turkish Ministry of State for Human Rights, with the participation of representatives from Belgium, Bosnia and Herzegovina, Croatia, Denmark, France, Germany, Italy, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the European Union and, as observers, the Russian Federation and the Office of the United Nations High Commissioner for Refugees, to review the ongoing human tragedy in Bosnia and Herzegovina and to find ways and means to provide and deliver assistance and to redress the situation in this war-torn country.

2. During the Conference, deep concern was voiced over the recent brutal attacks carried out by Bosnian Serbs against United Nations-declared safe areas, special emphasis being given to the massacre of civilians and the continued policy of ethnic cleansing and atrocities committed against the civilian population.

3. An urgent appeal was made to the international community to take the necessary measures in order to ensure the timely delivery of humanitarian aid to the needy and to keep all access routes open. To this end, special emphasis was placed on the need for the United Nations Protection Force (UNPROFOR) to ensure unimpeded delivery of humanitarian aid.

4. The participants agreed upon the necessity to initiate projects for the reconstruction and rehabilitation of Bosnia. They urged the international community to be forthcoming and generous with their assistance.

5. During the Conference, serious concern was expressed for the violations of humanitarian law and human rights in Bosnia and Herzegovina. A call was made to all countries to contribute more rapidly and effectively to the work of the International Tribunal for the former Yugoslavia, established for the purpose of bringing to justice those who have committed war crimes, crimes against humanity and acts of genocide.

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4 August 1995
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LETTER DATED 4 AUGUST 1995 FROM THE ACTING PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit the text of a statement issued on 4 August 1995 by the Ministry of Foreign Affairs of the Russian Federation (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) V. SIDOROV
Ambassador
Acting Permanent Representative

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Annex

Statement issued on 4 August 1995 by the Ministry of Foreign Affairs of the Russian Federation

According to reports that we are receiving, on 4 August 1995 the armed forces of the Republic of Croatia began a major offensive against Serb-populated regions under United Nations protection, known as Serb Krajina. Hardest hit has been the town of Knin, the regional centre.

According to available information, the internationally mediated talks that were held in Geneva on 3 August 1995 between representatives of the Croat Government and of Krajina gave the parties to the conflict a real opportunity to reach compromises that could clear the way for a political settlement. To our profound regret, the Croat side did not show any willingness to work out agreements but proceeded to make ultimatums. We are forced to conclude that Zagreb was already inclined to seek not a political but an exclusively military solution.

We reject this choice by the Croat leaders. The Croat side has violated a number of Security Council resolutions and has ignored the Secretary-General's direct appeal to refrain from military operations. A blow has been dealt to all the efforts of the international community to settle not only the Croat but also the Bosnian conflict.

No bilateral military and political agreements between Zagreb and Sarajevo can serve as a reason or a justification for Croatia's interference in the internal conflict in Bosnia and Herzegovina, in the territory of which, moreover, a United Nations peace-keeping operation is in progress Against this background, Belgrade's restraint and its desire not only to avoid being drawn into the military operations being conducted in Croatia and Bosnia and Herzegovina but also to promote a negotiated settlement of the crises in these States, should be highly appreciated.

In the light of the current situation, the Russian side believes that it is vitally important to achieve an immediate cessation of hostilities and to begin, at long last, serious political negotiations based on the proposals put forward by the international mediators in Geneva. Those countries that consider themselves friends of Croatia should encourage Zagreb to renounce its policy of seeking a military solution of the Krajina problem, for the emergence of which the Croat side is largely responsible.

Croatia's continued use of force in Serb-populated regions in its territory and in Bosnia can lead to a drastic change in the nature of the conflicts in the entire territory of the former Yugoslavia and have consequences unforeseen either in Zagreb or in those capitals which, in spite of their languid protests, are actually in solidarity with the Croat side's military action.

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S/1995/655
7 August 1995

ORIGINAL: ENGLISH

LETTER DATED 5 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions of my Government, I wish to draw your attention to the extremely serious situation brought about by the aggression of the armed forces of Croatia against the territory and population of Serb Krajina.

The totally unprovoked, brutal and shameless aggression that was launched by Croatia in the early morning hours of 4 August 1995 against the United Nations protected areas (UNPAs) is continuing unabated. This is the seventh aggression of Croatia against the UNPAs that has been allowed to go unpunished.

Horrifying destruction, the murder of innocent civilians - women, children and the elderly - and the violation of the basic principles of humanitarian law are taking place. The exodus of the civilian population and unprecedented wave of "ethnic cleansing", which is displacing more than 100,000 Krajina Serbs, are a telling proof of the policy of genocide against the Serb people. The fear that the Tudjman regime instilled in the Krajina Serbs has been most drastically confirmed and fully justified.

Like the fascist rule of the infamous Ustashi leader A. Pavelic from 1941 to 1945, the regime of F. Tudjman has before it the same final goal: to annihilate and expel the Serb people from their ancestral homes in the territory of Krajina.

Long before the aggression against the Krajina Serbs, which is now at its height, pressures and intensive preparations began by F. Tudjman and his regime for a confrontation with the Serbs. More than 350,000 Serbs from the territories that are under Tudjman's control have already fled. On the other hand, those who attempted to remain in their homes were mistreated in every conceivable way and forcibly converted into the Catholic faith. Discrimination in all areas of everyday life and work (eviction, lay-offs on grounds of nationality and illegal seizure of property) and gross violations of fundamental human and civil rights were rampant. During the aggression of Croatia against UNPA Sector West in May of this year, virtually the whole Serb population was murdered, wounded, imprisoned or expelled from the region.

All of this clearly indicates that what is at stake is a thoroughly planned aggression, whose aim has been to "cleanse" the territories of Krajina of the Serb population.

The Government of the Federal Republic of Yugoslavia notes with utmost indignation and bitterness that the international community is not undertaking resolute measures to stop and disenable the monstrous policy of Croatia against the Krajina Serbs. Particular responsibility rests with the Security Council, whose primary role, under Chapter VII of the Charter of the United Nations, is to maintain peace and security and protect the victims of aggression. The Security Council, which already confirmed that such actions of Croatia seriously threaten to escalate the conflict, must undertake concrete and resolute measures against such criminal and genocidal acts of Croatia.

From the very beginning of the outbreak of the crisis in the territory of the former Yugoslavia, the Security Council has directed its decisions and activities against the Federal Republic of Yugoslavia imposing on it, without any justification, the most comprehensive, harsh and unprecedented sanctions in the history of the United Nations. The question must be raised as to what criteria the Security Council is now implementing considering the open aggression of Croatia against Krajina and flagrant violations of humanitarian law. It is also cynical that the Council ignored the involvement of the North Atlantic Treaty Organization (NATO) aircraft on the side of the aggressor. Regrettably, the Security Council is not endeavouring to secure the implementation of its own decisions and resolutions regarding the arms embargo on Croatia and Bosnia and Herzegovina, the prevention of "ethnic cleansing" and the prosecution of Croatian and Bosnian Muslim and Bosnian Croat war criminals.

Stemming from the above, the Government of the Federal Republic of Yugoslavia requests that an urgent meeting of the Security Council be convened to consider the situation caused by Croatia's aggression against Krajina with a view to adopting a resolution under Chapter VII of the Charter of the United Nations. The resolution must in most resolute terms condemn the Croatian aggression, the crimes committed, particularly "ethnic cleansing" and destruction. It must also demand that Croatia's aggression cease immediately and that its troops withdraw to positions prior to the offensive. Concrete punitive measures must be undertaken against Croatia by introducing sanctions under Chapter VII of the Charter because of Croatia's aggression against Serb Krajina.

I request that you immediately inform the members of the Security Council of the contents of this letter.

(Signed) Dragomir DJOKIĆ
Chargé d'affaires a.i.

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GENERAL ASSEMBLY
Fiftieth session
Item 81 of the provisional agenda*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 4 August 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement of the Federal Government of the Federal Republic of Yugoslavia dated 4 August 1995.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under item 81 of the provisional agenda, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Chargé d'affaires a.i.

* A/50/150.

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Annex

The Federal Government condemns most strongly the latest armed aggression of Croatia against the Serbian people in the Republic of Serbian Krajina, which by its width and ruthlessness exceeds all hitherto acts of aggression committed by Croatia. The massive artillery and missile bombardment of all towns in the Republic of Serbian Krajina demonstrates that one of the main objectives of the aggression is to cause great losses to the civilian population.

Of particular concern is the fact that the general brutal aggression took place at the time of the resumption of direct negotiations on Knin-Zagreb relations, in which the Krajina side expressed the highest readiness for a political solution of the status of Krajina, accepting the agreement proposed by a Co-Chairman of the International Conference on the Former Yugoslavia, while the Croatian side arrogantly rejected that proposal.

The aggressive attitude of Croatia confirms the correctness of the constant warnings of the Federal Republic of Yugoslavia that the presence of the regular armed forces of Croatia in the former Bosnia and Herzegovina constitutes a flagrant violation of the resolutions of the Security Council. Such an attitude of Croatia towards the resolutions of the United Nations and its countenance by the international community constitutes a danger for the efforts to put an end to the crisis in the territories of the former Yugoslavia in a peaceful way and by political means.

The aggression of Croatia against Krajina is a continuation of the practice of the heightening of tension and the escalation of military conflicts whenever there emerge serious prospects for achieving concrete progress in the political solution of the crisis.

The Federal Government recalls that, by accepting the Vance plan, the United Nations has assumed direct responsibility for physical security and the maintenance of peace in the territory of Krajina and considers it duty-bound to oppose Croatia in an outright way and restore the status quo ante within the shortest period of time.

The Federal Government warns that continued countenance of the aggressive behaviour of Croatia would increase conviction in an unequal treatment of the parties in conflict and in a continuation of the policy of double standard by the international community.

The Serbian people in the Republic of Serbian Krajina, exposed to an unprovoked aggression, has a legitimate right to self-defence and it is the duty of the international community to protect it.

The Federal Government demands of the Security Council that it observe consistently its own decisions related to the prohibition of the presence of armed forces of other States in the territory of former Bosnia and Herzegovina and that it take urgent and efficient measures to compel all regular military and paramilitary forces of Croatia to withdraw from the former Bosnia and Herzegovina and the territory of the Republic of Serbian Krajina.

The Federal Government reiterates also on this occasion the firm commitment of the Federal Republic of Yugoslavia to a political solution of all problems of the crisis, including all questions in the relations between Knin and Zagreb.

Proceeding from the assumption that this is the conviction also of the preponderant part of the international community, and above all of the United Nations, the Federal Government demands of the Security Council that it order an urgent cessation of all war operations and that it ensure withdrawal of the Croatian armed forces to the separation lines established by relevant resolutions of the Security Council, as well as that it create conditions for the resumption of negotiations of the two sides.

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7 August 1995

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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. By its resolution 993 (1995) of 12 May 1995, the Security Council asked me to report every three months from the date of the adoption of that resolution on all aspects of the situation in Abkhazia, Republic of Georgia, including the operations of the United Nations Observer Mission in Georgia (UNOMIG).

II. POLITICAL ASPECTS

A. Activities of my Special Envoy

2. In my previous report (S/1995/342) I informed the Council of the activities of my Special Envoy, Mr. Edouard Brunner, and the efforts being made by the Russian Federation, in its capacity as facilitator, to draft a text that might provide the basis for a Georgian-Abkhaz settlement. Through the months of May, June and July, those efforts continued and my Special Envoy followed their progress by maintaining his regular contacts with the Russian authorities.

3. As an agreed text had not been achieved by early July, my Special Envoy visited the region from 15 to 18 July. In order to start with an authoritative briefing on the progress of the Russian-led discussions, my Special Envoy first met in Sochi with Mr. Boris Pastukhov, Deputy Foreign Minister of the Russian Federation. Mr. Pastukhov described the advances made in preparing a draft protocol and the points on which difficulties had been encountered. The draft text, a copy of which was given to my Special Envoy, built on elements derived from earlier negotiations. It aimed at identifying an acceptable status for Abkhazia within the borders of the former Georgian Soviet Socialist Republic, including the identification of the competences of the federal authorities, the establishment of a federal legislative body, the treatment by that body of questions directly affecting Abkhaz interests and issues concerning the early and safe return of refugees and displaced persons.

4. From Sochi, my Special Envoy went to Gagra in Abkhazia for a meeting with Mr. Vladislav Ardzinba, the Abkhaz leader. After a review of the current

situation in Abkhazia, including the serious effects of recent heavy rains, discussion turned to the draft protocol. Mr. Ardzinba said that it was unacceptable without a number of changes. He was not against a federative arrangement as such but, in his view, it must be between two equal entities. Regarding the return of refugees, Mr. Ardzinba wished to work with the arrangement already set up under the quadripartite agreement of 4 April 1994 (S/1994/397, annex II). Moreover, he did not accept that the collective peace-keeping forces of the Commonwealth of Independent States (CIS) should take an active part in providing security for returnees. In his view, there could be no police functions for anyone other than the Abkhaz authorities.

5. On concluding the discussions, Mr. Ardzinba expressed his wish that ways be found to continue the negotiation process.

6. On 16 July, my Special Envoy returned to Sochi and, after further discussions with Mr. Pastukhov, proceeded to Tbilisi to meet with Mr. Eduard Shevardnadze, Head of State of the Republic of Georgia. There were also meetings with a number of the Head of State's senior colleagues and advisers, with representatives of persons displaced from Abkhazia, with ambassadors of the "Friends of Georgia" represented in Tbilisi (France, Germany, Russian Federation and United States of America), with the Organization for Security and Cooperation in Europe (OSCE) Mission to Georgia and with representatives of the International Committee of the Red Cross (ICRC) and United Nations agencies working in Georgia.

7. Mr. Shevardnadze expressed his deep unhappiness at the continued lack of real progress. Despite 10 resolutions of the Security Council and measures by other bodies, there had been no tangible results to date. Regarding the draft protocol, Mr. Shevardnadze and his senior advisers felt that they had already conceded as much as possible and that further concessions would be unacceptable. Work on the draft should nevertheless continue.

B. Appointment of a resident deputy to the Special Envoy

8. Since December 1993, my Special Envoy has endeavoured to bring the Georgian and Abkhaz parties to the negotiating table to find a comprehensive political settlement. During the past few months, additional efforts have been led by the Russian Federation. Although a certain amount of progress has been made, it has not been sufficient to resolve the pressing problem of the return of refugees and displaced persons. A significant gap also remains between the two sides regarding the political status of Abkhazia within the territorial integrity of Georgia. Even if it proves possible to find agreement on the draft protocol now under discussion, there would then have to be a prolonged period of detailed negotiations in order to agree on ways to implement the constitutional, economic, human rights and other practical aspects of the settlement. Such negotiations would require continuous attention *in situ*.

9. I have therefore decided to appoint a deputy to my Special Envoy, who would be resident in the area and thus able to provide a continuous presence at a senior political level. Following the models of other operations, such as those in Cyprus and Tajikistan, the Deputy will also be the Head of Mission of UNOMIG.

In carrying out the tasks of political contact and negotiation, the Deputy will divide his/her time between Tbilisi and Sukhumi and will travel as necessary to Moscow for direct consultations with the Russian authorities. The appointment will be at a level commensurate with these responsibilities. I am hopeful that it will be possible to make this appointment as soon as practicable, so that the incumbent may be in place in the first half of September.

III. HUMANITARIAN SITUATION

A. Situation of refugees and displaced persons

10. Since my previous report to the Security Council, there has been no major change in the situation of displaced persons, in the possibilities for their voluntary return to Abkhazia in conditions of safety and dignity or in the situation in the Gali district. Large numbers continue to live in difficult circumstances in Zugdidi and elsewhere in Government-controlled territory, placing great strain on the Georgian economy, on human relations and on local services. In these circumstances, the level of frustration and distress is very high, leading to calls for mass spontaneous repatriation.

11. Minor improvements to security conditions in the Gali district have resulted in increased daily movements back and forth across the Inguri river by displaced persons, primarily to the lower security zone, to work in the fields, trade or repair houses. Some of these persons have decided to stay in the Gali district as long as security does not again deteriorate. The size of the semi-resident population is estimated at 25,000 to 35,000 persons.

12. On 19 May 1995 the Quadripartite Commission convened in Moscow to explore once again possibilities for resuming the voluntary repatriation programme under the auspices of the Office of the United Nations High Commissioner for Refugees (UNHCR). Representatives of UNHCR presented a concrete timetable for such returns, under which the displaced population from the Gali district would have returned before the end of 1995. Despite strenuous efforts to obtain a more flexible response, the Abkhaz side maintained its previous position of allowing only 200 persons per week to return. This continues to be unacceptable to the other parties.

13. Shortly after the meeting, the Abkhaz authorities announced that Abkhazia would start its own repatriation programme based on the offer of 200 persons per week. Returnees to Gali were informed that they were expected to fill in Abkhaz forms and provide details of relatives who had sought asylum elsewhere. Those refusing to do so would be excluded from humanitarian assistance. After clearance by Abkhaz authorities, the Gali residents would be expected to collect these relatives and bring them back to Abkhazia. It appears that so far few relatives have returned through this procedure.

14. Abkhazia also announced that it would start registering all inhabitants of the Gali district and that it expected UNHCR to participate in this exercise. UNHCR responded that it was unable to associate itself with that action, explaining that the registration of spontaneous returnees was directly linked with, and complementary to, the simultaneous official voluntary repatriation

process under the terms of the quadripartite agreement. This, however, had come to a halt. Also, the purpose of registration was to extend international protection to those spontaneously returning, whereas the security situation did not permit UNHCR to provide this protection at the present time. Moreover, one could not speak of spontaneous permanent return, when displaced persons crossed back and forth across the Inguri river to and from an area where security remained extremely precarious.

15. UNHCR continues to monitor the situation of returnees and of the local population to the best of its ability, given its limited resources and difficulties arising from interventions by armed Abkhaz militia. UNHCR cooperates and liaises directly with UNOMIG and the CIS peace-keeping force. Some difficulties have been experienced in interpersonal relations between UNHCR field personnel and Abkhaz authorities; these are being addressed.

16. Between March and July, UNHCR carried out a distribution of children's clothes, high-protein biscuits and World Food Programme (WFP) provisions to more than 7,000 highly vulnerable cases, in both the Gali and the Ochamchira districts. UNOMIG and the CIS peace-keeping force provided logistical and security support. No reports of subsequent looting were received.

17. During his visit in July, my Special Envoy discussed the refugee situation first with Mr. Ardzinba and then with Mr. Shevardnadze. Mr. Ardzinba stated that altogether some 30,000 to 40,000 refugees and displaced persons had returned spontaneously and that Abkhaz authorities had already registered about 2,600 of them. He believed that about 10,000 persons from the Gali region would probably not want to return at all; the numbers yet to return were thus significantly less than was being claimed by Georgian authorities. He had already suggested that returns could continue at the rate of 200 per week. Mr. Shevardnadze expressed his serious concern that refugees had not been returned in safety or in sufficient numbers, returnees had been attacked and killed in the Gali region and the situation of displaced persons elsewhere in Georgia was deplorable.

18. In a session with some 50 representatives of persons displaced from Abkhazia, my Special Envoy heard several bitter, and at times passionate, statements critical of the lack of progress in the period of almost two years since the fall of Sukhumi and the Gali region in September 1993. My Special Envoy responded that he well understood the sense of frustration that was so widely expressed but the fact remained that it was necessary to find a political solution with the authorities that at present had physical control of Abkhazia. Any other course would lead to further bloodshed.

B. Consolidated inter-agency appeal for the Caucasus

19. Of all the difficulties currently facing Georgia as a whole, the most immediate are the scarcity of basic foods and the energy supply situation. After several years of very large budget deficits, the Government lacks the resources to ensure the continued provision of basic social services. Many primary health-care units and hospitals are unable to function because of

shortages of medicines and equipment. Health care is now almost entirely dependent on international humanitarian assistance.

20. In addition, large numbers of orphans, abandoned children and people in need of special education are currently living in extremely poor circumstances because of reduced government spending. Most lack adequate food, bedding, warm clothes and learning materials. As in the neighbouring Caucasus republics, textbooks and school materials are in short supply and many school buildings urgently need rehabilitation.

21. As described in my previous report of 1 May (S/1995/342), the second consolidated inter-agency appeal for Georgia, covering the period from 1 April 1995 to 31 March 1996, was launched in Geneva on 23 March 1995 and requested US$ 36,473,385 in financial assistance for United Nations-system agency projects that addressed the immediate needs of internally displaced persons, as well as other vulnerable groups in the community. These included relief projects to be undertaken by United Nations agencies/organizations and non-governmental organizations (NGOs) in the food, non-food, shelter and health sectors, as well as projects bridging the continuum from emergency assistance to development.

22. Donors' response to the appeal has been disappointing. As of 30 June 1995, only US$ 5 million of total funding requirements had been met, which seriously jeopardizes the United Nations humanitarian assistance programme in the country. In spite of the pressing need to continue to assist the internally displaced population, this lack of funds will oblige UNHCR to close down its activities in the very near future unless urgent financial assistance is forthcoming.

C. Human rights

23. In paragraph 9 of Security Council resolution 993 (1995), the Council requested me, in the context of paragraph 7 of resolution 971 (1995), to consider ways of improving observance of human rights in the region. At my request, the High Commissioner for Human Rights dispatched a senior human rights officer to Georgia to discuss the possible establishment of a human rights monitoring mission there. The visit took place from 24 June to 2 July 1995. My Special Envoy also addressed this question during his visit from 15 to 18 July.

24. Representatives of the Government of Georgia referred in their meetings with my Envoy and the senior human rights officer to a number of serious human rights problems relating to the Gali region. They expressed concern at the absence of any visible progress in the organized return of refugees and displaced persons, as well as at the lack of security for the local population. They considered that progress in those areas was being obstructed by the Abkhaz authorities. The Government strongly supported the establishment of a human rights monitoring mission in the Gali region operating from Georgian-controlled territory.

25. The Abkhaz authorities, in particular Mr. Ardzinba, stated that human rights violations in the Gali region were either being carried out by bandits or being committed or provoked by Georgian agents and forces. Mr. Ardzinba offered

full cooperation with a possible human rights mission. However, he expressed the view that for the time being periodic visits by human rights monitors would be more acceptable than a permanent monitoring presence.

26. When my Special Envoy suggested to Mr. Ardzinba that a human rights monitoring mission established in the region jointly by the United Nations and OSCE would avoid duplication of effort, Mr. Ardzinba strongly objected to the establishment of such a mission in Gali.

27. A human rights monitoring mission would provide both local authorities and the international community with reliable assessments of the human rights situation, with particular attention being given to returning displaced persons and refugees. In the absence of such an objective picture, mutual and unsubstantiated accusations are creating additional tensions and impeding the return of refugees and displaced persons. In cooperation with other international organizations and bodies active in the region, a human rights monitoring mission in Gali would also assist in building confidence and developing technical assistance activities to help to establish the rule of law and strengthen institutions for the promotion and protection of human rights. The objectives and methods of such a mission are set out in annex I to the present report. My Special Envoy and the High Commissioner for Human Rights will continue their efforts to secure an agreement for its establishment in Gali.

28. As in many other conflicts of this type, the question of crimes committed in the recent past and the impunity of their perpetrators is a major obstacle to the establishment of mutual confidence. In order to resolve this problem, further contacts with the parties are necessary to explore various formulas for dealing with past abuses. The proposed human rights monitoring mission would mainly address the present situation in the Gali region but would also be able to express its opinion about human rights in other regions of Georgia, in so far as they may have a bearing on the Gali region.

IV. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA (UNOMIG)

29. During the period covered by the present report, UNOMIG continued to fulfil the tasks mandated by the Security Council, operating in the security and restricted weapons zones and in the Kodori valley. The Mission continues to be commanded by the Chief Military Observer, Brigadier-General John Hvidegaard (Denmark). It maintains its full authorized strength of 136 military observers (see annex II) and also has 55 international and 69 local civilian staff. The Chief Military Observer and a small staff are based at UNOMIG headquarters in Sukhumi, while the remainder of the staff are at Pitsunda, with a current strength of 103 (21 military, 46 international and 36 local). The Mission is organized in three sectors, with sector headquarters at Sukhumi, Gali and Zugdidi. There is a liaison office in the Georgian capital, Tbilisi (see map).

30. At present UNOMIG has six team-site bases: one in the Kodori valley, at Adjara; three in the Gali Sector, at Ingur Ges, Otobaya and Zemo-Bargebi; and two in the Zugdidi Sector, at Dzvari and Darcheli. These bases provide a

permanent UNOMIG presence in key areas, thus increasing the population's confidence in the Mission. Their location enables UNOMIG to cooperate closely with the collective peace-keeping forces of CIS and to react swiftly to incidents. All team-site bases are in areas that are of importance to the Georgian or the Abkhaz side.

31. UNOMIG's operations continue to be based on mobile patrols operating from the sector headquarters and the team-site bases. In the Gali Sector, a number of these patrols are conducted jointly with the CIS peace-keeping force. The Mission's current strength of military observers permits comprehensive coverage of the sectors and the patrols' activities, in addition to ensuring that the parties adhere to the provisions of the Moscow agreement, have an acknowledged deterrent effect on criminal activity.

32. Other than the restrictions outlined in paragraphs 39 to 41 below, cooperation with both sides has continued at an acceptable level. At the same time, however, both sides have continued to criticize UNOMIG: the Georgians over the lack of progress in the repatriation of the refugees, and the Abkhaz over the Mission's alleged failure to prevent the infiltration of armed elements into the security zone on the west bank of the Inguri river. UNOMIG is continuing its efforts to explain its mandate. In recent weeks, expectations of the return of large numbers of refugees to the Gali region increased markedly on two occasions, the first around 15 May and the second around 15 July. In both cases, this was due to statements by Georgian politicians in Tbilisi and in western Georgia encouraging or promising mass repatriation. The Abkhaz reaction was hostile on both occasions and statements in early July by the Commander of the CIS peace-keeping force that a mass return of refugees would be protected by his forces resulted in threats by the Abkhaz side that this would result in a resumption of conflict.

33. Since my last report to the Security Council (S/1995/342), there have been a number of incidents of armed robberies of UNOMIG personnel on patrol, but the Chief Military Observer does not think that these incidents reflect a pattern of planned and deliberate action against the Mission.

34. UNOMIG has continued to cooperate closely with UNHCR. Cooperation with governmental and non-governmental organizations is also close and includes security briefings.

35. Cooperation between UNOMIG and OSCE continues as outlined in my report of 6 March 1995 (S/1995/181, para. 21). During the period covered by the present report, OSCE members visited the Abkhaz authorities in Sukhumi and Gali; UNOMIG facilitated these visits and briefed OSCE on the situation in Abkhazia either through its liaison office in Tbilisi or in the region itself. The Chief Military Observer has also briefed the OSCE mission during his visits to Tbilisi.

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V. SITUATION ON THE GROUND

A. General

36. Between 1 May and the end of July, the situation in the security zone continued to be unstable, although the number of spontaneous returns to the Gali region increased during the period. In spite of the control that the CIS peace-keeping force exercises over the Abkhaz militia's freedom of action, returnees are fearful that the militia will take action against them, such as confiscating their crops at harvest time. These concerns are not unjustified in light of developments in the Gumurishi area, where the CIS peace-keeping force no longer has a permanent checkpoint. Many former returnees have now gone back to Zugdidi from this area, reportedly as a result of the militia's violent behaviour towards the local population. Criminal activity has also continued, with 7 killings and 12 kidnappings recorded during the period. This activity has been concentrated in the Gali region, where the operations of the CIS peace-keeping force were significantly reduced during the force's rotation and training period from mid-May to mid-June 1995. Looting and destruction of property have also continued, albeit at levels lower than during the period covered by my previous report.

37. The local Georgian authorities claim to control the forces of the Ministry of the Interior, which include the so-called "Uberia Battalion" and the former Rescue Corps (Mkhedrioni members). In UNOMIG's view, however, not all elements of the forces of the Ministry of the Interior are fully under the control of the Georgian authorities. The CIS peace-keeping force is administering a weapons-permit regime, but it is UNOMIG's assessment that this requirement is not comprehensive and that significant quantities of weapons remain available in the area even though they are not openly displayed. There are regular crossings of the Inguri river by armed groups which are extremely difficult for UNOMIG or the CIS peace-keeping force to prevent. There is also circumstantial evidence of strong links between Abkhaz and Georgian criminal groups across the Inguri river.

B. Security and restricted weapons zones

38. The security zone has remained free of Georgian and Abkhaz army personnel and is relatively calm on the surface. On both sides of the Inguri river, small-scale agriculture is proceeding successfully and some of the land in the Gali region is being cultivated for the first time since the war of 1992-1993. Although a number of serious incidents occurred in the Gali region during the reporting period, there has been no repetition of operations such as those conducted by the Abkhaz militia earlier this year and the area has seen less violent activity than during the previous reporting period. The presence of the CIS peace-keeping force and that of UNOMIG have contributed significantly to this decrease. On the Georgian side of the Inguri river, the village of Shamgona remains a centre for radical armed groups and, at Anaklia, where there is also a concentration of refugees, feelings of frustration frequently run high. A new team-site base was established at Dzvari on 5 May 1995.

39. Defensive preparations by the Abkhaz side have continued in the restricted weapons zone, in particular along the Gali canal. The Abkhaz have been particularly sensitive over access to the canal and to the area immediately south of Ochamchira. Similarly, UNOMIG has encountered occasional difficulties when trying to gain access to the Tkvarcheli area. In July, the Abkhaz authorities in Sukhumi requested UNOMIG to agree to new procedural arrangements for patrolling the restricted weapons zone on the Abkhaz side of the Inguri river. This request is in line with the Moscow agreement, which refers to the need for consultation between the parties when patrolling takes place outside the security zone. As of the date of the present report, the process is working, and UNOMIG continues to patrol the restricted weapons zone on the Abkhaz side.

40. There have been occasional violations on the northern boundary of the restricted weapons zone, but UNOMIG has not detected any permanent new stationing of heavy weapons inside the zone. In the beginning of May, patrols found on two factory premises in Tkvarcheli a total of 11 artillery pieces falling under the limitations of the Moscow agreement. These artillery pieces appear to have been in that location since the end of the 1993 war. None of the weapons was operational because of missing vital parts and obvious lack of maintenance. Following a joint UNOMIG/CIS peace-keeping force patrol and protest in early July, UNOMIG can confirm that nine of the weapons were finally removed to a location outside the restricted weapons zone. The two remaining weapons may still be in Tkvarcheli, but patrols have since been denied access to the factory premises. Negotiations between UNOMIG and the Abkhaz authorities are continuing, with a view to the maintenance of patrolling.

41. As the Security Council has been made aware, UNOMIG has been experiencing increasing difficulties with respect to its inspection of the heavy weapons storage sites maintained by the Government of Georgia and the Abkhaz authorities. In order to gain access to the Georgian site at Senaki, UNOMIG must now apply to the First Deputy Minister of Defence of Georgia, and access to the Abkhaz site at Ochamchira is made extremely difficult by the authorities' continuing lack of cooperation. Both sides claim that only non-operational equipment has been stored at the sites and that some of the equipment observed by UNOMIG at the sites was being stored there for reasons other than compliance with the terms of the Moscow agreement. The Mission has protested the restrictions on its activities, so far without success.

42. On the east bank of the Inguri river, an armoured vehicle has been stationed for a long time outside the Zugdidi police station in violation of the 14 May 1994 agreement, but UNOMIG has detected no other attempt to introduce heavy weapons into the restricted weapons zone.

C. Kodori valley

43. UNOMIG has established a new team-site base at Adjara, a Svan community high in the Kodori valley, which has significantly improved its ability to monitor the valley.

44. Cooperation between UNOMIG and the permanent post of the CIS peace-keeping force at Lata, 20 kms west of Adjara, is extremely good and information and assistance are regularly exchanged. Relations between the Abkhaz and the Svans have remained stable and there is some evidence that in early July a significant number of Svans from the Mestla area in Georgia, who formerly lived in the Kodori valley, returned to the valley. Recently, however, discussions between Abkhaz and Svans have effectively ceased, including discussions over the identification of certain war graves.

VI. COOPERATION BETWEEN THE UNITED NATIONS OBSERVER MISSION IN GEORGIA AND THE COLLECTIVE PEACE-KEEPING FORCES OF THE COMMONWEALTH OF INDEPENDENT STATES

45. In paragraph 6 (b) of resolution 937 (1994), the Security Council entrusted UNOMIG with observation of the operation of the CIS peace-keeping force within the framework of the implementation of the agreement of 14 May 1994. UNOMIG reports that the CIS peace-keeping force has been conducting its operations in accordance with the agreement. It is deployed on both sides of the security zone and, as agreed by the parties, in the Kodori valley. It maintains posts in these areas and patrols them, either jointly with UNOMIG or on its own.

46. Cooperation between UNOMIG and the CIS peace-keeping force continues to be very satisfactory to both parties. There are regular meetings and exchanges of information at the different levels of command. Low-level cooperation, in particular between UNOMIG's team-site bases and the checkpoints of the peace-keeping force, is particularly effective.

VII. SOCIAL AND ECONOMIC ASPECTS

47. Emergency relief and humanitarian aid currently remain the principal focus of United Nations assistance to Georgia. The efforts of UNHCR and other relief agencies have been described above. Mention should also be made of WFP's programme, through its Caucasus Logistic Advisory Unit, to optimize the use of the regional infrastructure to facilitate the delivery of relief supplies.

48. While relief efforts continue, the Bretton Woods institutions and a number of other organs of the United Nations system are helping the Government to convert Georgia from its current status as a recipient of relief and development assistance into a country with a sound financial system, offering new markets and an attractive environment for investment. As part of this effort, the "National Human Development Report" was published in May 1995 by the Government, together with the United Nations Development Programme (UNDP). It contains the first comprehensive study of the country's socio-economic situation.

49. The Economic Commission for Europe (ECE) advises the Government on ways to promote capacity and build institutions to facilitate the transition to a market economy. UNDP is helping the Government both to coordinate and manage the aid it receives and to reform and strengthen its public administration in order to adapt it to a market economy and a parliamentary democracy. The United Nations Conference on Trade and Development (UNCTAD) is carrying out a project to

improve the country's customs administration. The United Nations Industrial Development Organization (UNIDO) is helping the Government to plan a restructuring of industry.

50. As regards social services, the United Nations Children's Fund (UNICEF) is undertaking a number of projects related to the demand for health care, an expanded immunization programme and mother and child health.

VIII. FINANCIAL ASPECTS

51. I shall in due course submit to the appropriate legislative bodies any requirements in addition to the UNOMIG cost estimate covering the period from 14 July 1995 to 30 June 1996 as a result of my decision to appoint a resident deputy to the Special Envoy of the Secretary-General for Georgia and Head of Mission of UNOMIG, together with the identification of a limited staff and other facilities (see paras. 8 and 9).

IX. OBSERVATIONS

52. I have little to add to the observations in my previous report (S/1995/342, paras. 42-44). As I said on that occasion, it is the parties to a conflict that must make peace. At present both sides continue to take positions that cannot, as yet, be bridged: the Georgian side believes that it has made as many concessions of principle as it can, whereas the Abkhaz side believes its position has been consistent from the beginning and is unwilling to change.

53. As I have already indicated, work continues on the Russian drafted protocol and my Special Envoy is following it closely. The situation is, however, likely to be affected by the outcome of the Georgian Parliament's consideration of the revised draft constitution, and the presidential and parliamentary elections that are scheduled for November 1995.

54. Much remains to be done if a political settlement is to be found that will once again bring the peoples of Georgia together. The economy of Abkhazia is at a virtual standstill and will continue to be so until such time as the displaced population is permitted to return to their homes and normal social, economic, communication, legal, energy, transport and other links with the rest of Georgia are restored. The economy of the latter continues to be extremely weak and cannot be properly rebuilt when political and other energies and resources have to be diverted to the troubles in Abkhazia and South Ossetia. As the present report has shown, the United Nations is providing valuable assistance to Georgia in a number of ways as part of the international community's aid to a country in need.

55. The pursuit of a political solution to the Georgian/Abkhaz conflict needs to be conducted with appropriate support and resources. It is for this reason that I have decided to appoint a resident deputy to my Special Envoy who will assist him in the efforts to find and implement a comprehensive settlement, based on three essential elements: the safe and early return of the refugees and internally displaced persons, maintenance of the territorial integrity of

the Republic of Georgia and a special status for Abkhazia. Without all three being met, the risk will remain that instability will continue and conflict will eventually break out again. Developments elsewhere in the Caucasus region will also affect the prospects for settlement of the Georgian/Abkhaz conflict.

56. The Chief Military Observer of UNOMIG, Brigadier-General John Hvidegaard will shortly be leaving his post at the end of two years of duty. I wish to thank him, and all the military and civilian staff under his command, for their dedication and service.

Annex I

Human rights monitoring Mission in Abkhazia, Republic of Georgia

I. OBJECTIVES

1. The Mission will have the following objectives:

(a) Monitoring the human rights situation in the Gali region, with particular attention to the situation of returning persons and refugees;

(b) Contributing, in cooperation with other international agencies and bodies active in the region, to developing confidence-building measures;

(c) Developing technical assistance activities in order to contribute to the establishment of the rule of law and to strengthening institutions for the promotion and protection of human rights.

II. METHODS

2. The Mission will apply the following methods:

(a) Collect first-hand information about the human rights situation directly from witnesses and other reliable sources;

(b) Establish direct contact with the Government of Georgia and with the de facto authorities in Abkhazia and advise them about measures to be adopted in order to prevent and redress human rights violations in the region;

(c) Establish close contact and cooperation with United Nations Observer Mission in Georgia and the Commonwealth of Independent States peace-keeping force, as well as with other international agencies and bodies active in the region;

(d) Report to the High Commissioner for Human Rights and, through him, to the Secretary-General about the human rights situation and its impact on the solution of the conflict.

Annex II

Composition of the United Nations Observer Mission in Georgia as at 29 July 1995

Country	Military observers
Albania	1
Austria	4
Bangladesh	11
Cuba	4
Czech Republic	5
Denmark	6
Egypt	6
France	5
Germany	10
Greece	5
Hungary	6
Indonesia	6
Jordan	8
Pakistan	9
Poland	5
Republic of Korea	6
Russian Federation	3
Sweden	7
Switzerland	5
Turkey	5
United Kingdom of Great Britain and Northern Ireland	10
United States of America	4
Uruguay	4
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a/ Figures may vary owing to rotations.

Map No. 3837 Rev. 5 UNITED NATIONS
August 1995

Department of Public Information
Cartographic Section

UNITED NATIONS **S**

Security Council

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S/1995/658
7 August 1995

ORIGINAL: ENGLISH

LETTER DATED 7 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a letter from His Excellency Mr. Vladislav Jovanović, Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to you (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

Annex

Letter dated 2 August 1995 from the Minister for Foreign Affairs of Yugoslavia addressed to the President of the Security Council

In connection with the letter of the Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Croatia of 20 July 1995 (S/1995/601), I would like to point out that it is yet another transparent attempt of the Croatian side to divert attention from its own responsibility for the escalation of war in former Bosnia-Herzegovina and for heightening tension in the relations with the Republic of Serbian Krajina by falsely accusing the Federal Republic of Yugoslavia.

As is well known, the United Nations Protection Force (UNPROFOR) has confirmed in many of its reports that there have been no units or troops of the Army of Yugoslavia outside its borders since May 1992. Besides, the Federal Republic of Yugoslavia sends no military shipments to the Republic of Srpska and the Republic of Serbian Krajina, which has also been repeatedly confirmed in United Nations monitors' reports. The Federal Republic of Yugoslavia has not forcibly mobilized personnel for the Republic of Serbian Krajina. What the competent Yugoslav authorities did do was to deny further hospitality to a number of persons who were not citizens of the Federal Republic of Yugoslavia and were established not to have refugee status, i.e., that they had not regulated their stay in the Federal Republic of Yugoslavia.

On the other hand, there is abundant evidence about Croatia's direct involvement in the crisis in former Bosnia-Herzegovina. It is widely known (and confirmed by UNPROFOR) that Croatian regular military units have been deployed in former Bosnia-Herzegovina since the beginning of the civil war, in flagrant violation of the relevant resolutions of the United Nations Security Council. It is also a fact that the armed forces of the Bosnian Croats (Croatian Defence Council) are under the outright command of the General Staff of the Croatian Army since the so-called Republic of "Herceg-Bosna" is de facto an integral part of the Croatian State despite the formal recognition of former Bosnia-Herzegovina by Croatia. The falsehoods and fabrications from the letter of the Croatian Foreign Minister are meant to conceal these facts and to provide a smokescreen for even larger Croatian military interference in the war in former Bosnia-Herzegovina and against the Republic of Serbian Krajina.

Of particular concern is the latest aggressive action of the Croatian armed forces which attacked the Republic of Srpska (Grahovo and Glamoc) with more than 10,000 troops. Fleeing the Croatian aggression, over 20,000 Serbs were forced to leave their ancestral homes. In this way, Croatia demonstrated once again that, despite its public pronouncements, it continues to pursue the war option and that it is not genuinely interested in a political and peaceful solution to the crisis. The ruthless aggressive policy of Croatia was shown for what it is also during the assault on Western Slavonia when the army of the Republic of Croatia committed mass-scale atrocities against the Serbian people.

This policy of Croatia has dangerously exacerbated the otherwise difficult situation and seriously threatens the efforts of the international community to

put an end to the war and reach a peaceful solution of the Yugoslav crisis. The United Nations Security Council is duty-bound to see to it that Croatian armed forces are withdrawn from former Bosnia-Herzegovina immediately and unconditionally and to prevent its attacks on the Republic of Serbian Krajina.

I would like to point out also on this occasion that the Federal Republic of Yugoslavia continues to be committed to a political solution and the resumption of negotiations as the only way out of the crisis. We therefore expect and demand that the Security Council take an objective and balanced position and treat equally all three sides in the civil war, which is the only realistic way for achieving a just, viable and lasting solution.

Vladislav JOVANOVIĆ

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GENERAL ASSEMBLY
Fiftieth session
Item 8 of the provisional agenda*
ADOPTION OF THE AGENDA AND
ORGANIZATION OF WORK

SECURITY COUNCIL
Fiftieth year

Letter dated 2 August 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Croatia to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I would like to draw your attention to documents S/1995/591, A/50/302-S/1995/594, S/1995/613 and S/1995/632, containing letters dated 18 July 1995, 21 July 1995, 24 July 1995 and 31 July 1995, respectively, signed "Bratislav Djordjevic, Minister Plenipotentiary, Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations".

My Government is surprised that the above letters have been accepted for publication as documents of the United Nations. Mr. Djordjevic is not a person representing a State Member of the United Nations and thus has no authority to request the publication of documents.

The designation of "Yugoslavia" as a State within the framework of the United Nations can only be interpreted by us as relating to the former Socialist Federal Republic of Yugoslavia, a State that was a founding member of the United Nations, and a State whose process of dissolution into five successor States was initiated on 8 October 1991 and terminated on 29 April 1992. The Republic of Bosnia and Herzegovina, the Republic of Croatia, the Republic of Macedonia and the Republic of Slovenia are all equal successors to the former Socialist Federal Republic of Yugoslavia, along with the remaining republics of Serbia and Montenegro, that have formed a federal State which they call the Federal Republic of Yugoslavia.

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The relevant resolutions of the Security Council (777 (1992) and 821 (1993)), and of the General Assembly (47/1), have stated clearly and unequivocally that the "State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist", that "the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia", and that "the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations". Since the "Federal Republic of Yugoslavia (Serbia and Montenegro)" has not yet applied for membership in the Organization, it can only be concluded that it is not a Member State.

We wish to recall that Mr. Dragomir Djokić, Chargé d'affaires of the Permanent Mission of Yugoslavia to the United Nations, was appointed by then Acting Federal Secretary for Foreign Affairs of the Socialist Federal Republic of Yugoslavia Mr. Milivoje Maksic on 31 March 1992 - during the period of dissolution of the former common State.

Although the former Socialist Federal Republic of Yugoslavia has ceased to exist, it has been allowed to continue to perform some of the functions of a United Nations Member State, and its flag still flies the mast of the United Nations. In the light of this situation, until Serbia and Montenegro are admitted to membership in the United Nations, Mr. Djokić is being allowed to act as a representative of "Yugoslavia" within the United Nations system, since he was appointed at a time when the Socialist Federal Republic of Yugoslavia still existed as a State, by a then legitimate representative of that State. However, Mr. Djordjevic cannot be considered as a representative of any "Yugoslavia", since he was appointed by the Minister for Foreign Affairs of a country that is not a State Member of the United Nations.

We therefore request that the above documents be withdrawn from circulation, and a corrigendum to that effect be issued.

I would kindly request your assistance in circulating this letter as a document of the fiftieth session of the General Assembly, under item 8 of the provisional agenda, and of the Security Council.

(Signed) Vladimir DROBNJAK
Chargé d'affaires of the
Permanent Mission of the
Republic of Croatia
to the United Nations

UNITED NATIONS **S**

Security Council

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S/1995/660
7 August 1995

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LETTER DATED 7 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit, enclosed herewith, the letter of His Excellency Mr. Vladislav Jovanović, Minister of Foreign Affairs of the Federal Republic of Yugoslavia addressed to Mr. J. Akashi, Special Envoy of the Secretary-General of the United Nations and to Brigadier-General P. Peeters.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

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ANNEX

Further to my recent telephone conversation with Lt.-Col. Hessel, I request you to urgently intercede and prevent immediately a further massacre of the officers and soldiers of the Army of the Republic of Serbian Krajina, being committed at this moment in a most savage way by the Croatian Army and the members of the Fifth Corps from Bihać at Topusko. According to available information, the Army of the Republic of Serbian Krajina and the Croatian Army reached agreement today in the presence of General Peeters on ceasing hostilities according to which the Serbian side was to hand over the heavy arms to UNPROFOR, while the Croatian side was to allow Serbian officers and soldiers to cross to the territory of the Republic of Srpska.

However, after the Serbs handed over their heavy arms to UNPROFOR, the Croats and Muslims attacked immediately and took them prisoner and commenced their bloody massacre. I plead and demand from Mr. Akashi and General Peeters to intervene and prevent further massacre and to see to it that those responsible be punished.

(Signed) Vladislav JOVANOVIĆ
Federal Minister of Foreign Affairs of the
Federal Republic of Yugoslavia

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GENERAL ASSEMBLY
Fiftieth session
Item 8 of the provisional agenda*
ADOPTION OF THE AGENDA AND
ORGANIZATION OF WORK

SECURITY COUNCIL
Fiftieth year

Letter dated 4 August 1995 from the Permanent Representative of Slovenia to the United Nations addressed to the Secretary-General

It was with considerable surprise that we saw several documents of the Security Council signed by Mr. Bratislav Djordjević as "Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations".

As you will recall, the Security Council and the General Assembly stated, back in September 1992, that the former Socialist Federal Republic of Yugoslavia had ceased to exist and that the "Federal Republic of Yugoslavia (Serbia and Montenegro)" should apply for membership in the United Nations.

Almost three years have passed since the adoption of the basic Security Council and General Assembly decisions on this matter. Subsequent practice has been characterized by ad hoc arrangements that sought to assist the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to apply for membership in the United Nations. As you know, this has not been done to date. Instead, we are witnessing repeated attempts by the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to present itself as a State continuing the United Nations membership of the former Socialist Federal Republic of Yugoslavia that had ceased to exist. The case of the mentioned "Chargé d'affaires" belongs to this category.

This absurd situation, which is highlighted by continuing operation of a "permanent mission" of a defunct State and by the circulation of documents signed by representatives of a non-member State, must be brought to an end. An

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arrangement that looked like a flexible short-term compromise three years ago has become an element of diminished credibility of the United Nations. Perpetuating disregard of the norms governing the admission of new Members to the United Nations would further diminish its credibility.

I therefore respectfully suggest that you initiate consideration of this matter by the Security Council, in accordance with the agreement by the members of the Council referred to in document S/26466 of 17 September 1993, and propose specific measures to eliminate the current irregularities.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under item 8 of the provisional agenda, and of the Security Council.

(Signed) Danilo TÜRK
Permanent Representative

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S/1995/662
7 August 1995

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GENERAL ASSEMBLY
Fiftieth session
Item 28 of the provisional agenda*
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 6 August 1995 from the Chargé d'affaires a.i.
of the Permanent Mission of Bosnia and Herzegovina to the
United Nations addressed to the Secretary-General

I have the honour to present to you the annexed letter, dated today, from my Minister for Foreign Affairs to you.

May I ask for your kind assistance in circulating the present letter and its annex as a document of the General Assembly, under item 28 of the provisional agenda, and of the Security Council.

(Signed) Ivan Z. MISIC
Ambassador
Chargé d'affaires

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ANNEX

Letter dated 6 August 1995 from the Minister for Foreign Affairs of Bosnia and Herzegovina addressed to the Secretary-General

It is reported that as many as 120,000 residents from the former Serb-occupied territories of Croatia are crossing into the Republic of Bosnia and Herzegovina, some with the assistance of United Nations authorities.

It must be stressed that some of those crossing into our Republic belong to Martic's paramilitary forces and remain armed. Given events following the liberation of Western Slavonia, a new influx of Serb paramilitaries into the Republic of Bosnia and Herzegovina poses a larger threat to non-Serb communities in Serb-occupied Bosnia and significantly contributes to the deterioration of the situation here.

The Government of the Republic of Bosnia and Herzegovina supports United Nations action that provides for the welfare of those affected by war. It is precisely for this reason that we cannot accept the settlement of these people in our Republic, as our Government is unable to provide them with adequate assistance. Furthermore, the Government of the Republic of Croatia has guaranteed the residents of the former Serb-occupied territories full security and humanitarian necessities, consistent with Croatia's desire to reintegrate these territories with the maximum respect for human and civil rights.

In accordance with our sovereignty and territorial integrity, and keeping in mind the instability brought on by influxes of Serb paramilitary forces into Bosnia, we insist that the United Nations authorities cooperate with Croatian authorities in securing the welfare of all residents in the former Serb-occupied territories.

(Signed) Muhamed SACIRBEY
Minister

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S/1995/663
7 August 1995

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Fiftieth session
Item 81 of the provisional agenda*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 6 August 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement of the Federal Government of the Federal Republic of Yugoslavia dated 6 August 1995 (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under item 81 of the provisional agenda, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

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ANNEX

The Federal Government has noted that, despite strong condemnations by numerous countries and international forums, Croatia continues its ruthless and brutal aggression against the Republic of Serbian Krajina unperturbed. The towns and other settlements in the territory under attack are being ruthlessly shelled and bombarded, which brings enormous human losses and destruction in its train. The fact that the aggressor army shells and strafes long columns of fleeing people is the bloodiest confirmation of one of the primary goals of the aggression - causing considerable losses among civilian population and its expulsion from the territory of the Republic of Serbian Krajina.

The Federal Government expresses its concern over the ever-more-frequent and convincing information that some of the big Powers, members of the Security Council, aid and abet the aggression of Croatia and prevent the adoption of a decision by the Security Council on stopping the aggression. By such attitude, some international factors are becoming accessory to the ethnic cleansing of the Serbian people from the territory of the Republic of Serbian Krajina.

The Federal Government expresses its profound dissatisfaction at the inefficiency of the international community in stopping the aggression of Croatia, which may lead to undesirable political, security and humanitarian consequences in the region and beyond.

The Federal Government expects and demands that, proceeding from Chapter VII of the Charter of the United Nations, the international community, and the Security Council in particular, take immediate and resolute measures to put an end to the aggression and the killing of the innocent civilian population and the prevention of ethnic cleansing and to see to it that Croatian armed forces withdraw to the separation lines established by the relevant resolutions of the Security Council.

The Federal Government reiterates that a peaceful solution through negotiation and political agreement is the only way of solving the overall Yugoslav crisis, including the situation created by the aggression of Croatia against the Republic of Serbian Krajina.

Bearing in mind the reaction of the most important international factors, inappropriate to the nature and size of the aggression, the Federal Government has charged the competent authorities with the task of intensifying political, diplomatic and informative activities aimed at having adequate decisions brought by the international community and at fully informing it of the policy of Croatia which constitutes the greatest danger for peace and security in the Balkans.

The Federal Government accorded special attention to the dramatic humanitarian situation. The exodus of tens of thousands of refugees, of the exhausted and old people, of women and children, calls for taking energetic and urgent measures by the Committee of the Federal Government for collecting humanitarian assistance. The Committee of the Federal Government will ensure continued cooperation with all important international humanitarian

organizations, particularly with the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross. Some, but insufficient, part of humanitarian assistance has already been dispatched to the affected area. In order to ensure a regular dispatch of the assistance, the Security Council Sanctions Committee is expected to consent to humanitarian flights to the Banja Luka airport. The Federal and Republican Governments, together with the Republican Commissariats for Refugees and the Federal and Republican organizations of the Red Cross, will invest maximum efforts in collecting and dispatching humanitarian assistance to refugees from the Republic of Serbian Krajina, the accommodation and care of which is concentrated in Banja Luka, as well as in dispatching assistance to individual refugee columns.

The Federal Government has established a round-a-clock service in order to satisfy the humanitarian needs of refugees from the Republic of Serbian Krajina in a most effective way.

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HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 7 August 1995 from the Chargé d'affaires a.i.
of the Permanent Mission of Bosnia and Herzegovina to the
United Nations addressed to the Secretary-General

I have the honour to present to you the annexed letter, dated today, from my Minister for Foreign Affairs to you.

May I ask for your kind assistance in circulating the present letter and its annex as a document of the General Assembly, under item 28 of the provisional agenda, and of the Security Council.

(Signed) Ivan Z. MISIC
Ambassador
Chargé d'affaires

* A/50/150.

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ANNEX

Letter dated 7 August 1995 from the Minister for Foreign Affairs of Bosnia and Herzegovina addressed to the Secretary-General

Pursuant to the concerns raised in my letter of 6 August to you (see A/50/335-S/1995/662, annex), we must express our reservations resulting from the "agreement between the Government of the Republic of Croatia and the United Nations Peace Forces (UNPF)-United Nations Confidence Restoration Operation (UNCRO) on temporary measures in the areas formerly known as 'Sector North' and 'Sector South'" (see S/1995/666, annex III). While this agreement is meant to alleviate the hardships of the residents leaving the former Serb-occupied areas of Croatia, it should be noted that any such agreement should be consistent with Bosnia and Herzegovina's territorial integrity and sovereignty and consent.

Most unfortunately, this agreement has facilitated a movement of armed and unarmed Serb paramilitaries into Bosnia and Herzegovina. Furthermore, the Belgrade regime, transgressing against humanitarian norms, has closed its border to all men of fighting age who recently left the former Serb-occupied parts of Croatia, instead leaving them to the disposal of Karadzic's authorities and military commanders. While the movement of armed Serb paramilitaries into Bosnia and Herzegovina manifests an immediate danger to government loyal communities, the movement of unarmed Serb paramilitaries is an imminent danger as they will be armed by Karadzic's authorities. These events not only betray international law, but present a new deterioration by inflating those forces waging genocidal war and aggression against the remaining safe areas and free territories of Bosnia and Herzegovina.

Again, we express support for United Nations action that provides for the welfare of those affected by war. However, any agreement regarding the territory of the Republic of Bosnia and Herzegovina must have the consent of our Government. We cannot accept a disregard for our nation's sovereignty and territorial integrity.

We request that when activities resulting from the agreement take place on our territory, representatives of the Government of the Republic of Bosnia and Herzegovina be present, including at border crossing, processing and transportation points, as well as aid distribution centres.

We demand that the Office of the United Nations High Commissioner for Refugees (UNHCR) list all those residents crossing into the Republic of Bosnia and Herzegovina from the former Serb-occupied territories of the Republic of Croatia, not only in respect of our sovereignty, but better to facilitate the resettlement of these persons in Croatia or other destinations as chosen by their own free will.

(Signed) Muhamed SACIRBEY
Minister

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/665
8 August 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 4 AUGUST 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to carry out reconnaissance and cause provocation continued over the period 21-31 July 1995.

21 July 1995

1. Northern region: 15 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Zakho, Dohuk, Tall Afar and Amadiyah.

2. Southern region: 47 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Salman, Qurnah, Jalibah, Busayyah and Artawi.

3. At 0915 hours on 21 July 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 1055 hours.

22 July 1995

Southern region: 32 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Salman, Jalibah, Artawi, Busayyah and Chabaish.

23 July 1995

1. Northern region: 12 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Aqrah and Amadiyah.

2. Southern region: 32 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Busayyah, Jalibah and Artawi.

3. At 1150 hours on 23 July 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 1217 hours.

24 July 1995

1. Northern region: 10 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

2. Southern region: 52 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Qurnah, Salman, Jalibah, Artawi and Busayyah.

3. On 24 July 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 0925 hours and left in the direction of Kuwait at 1115 hours.

The second flight entered Iraqi airspace at 1222 hours and left in the direction of Kuwait at 1342 hours.

25 July 1995

1. Northern region: 23 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Zakho, Dohuk, Aqrah, Tall Afar, Amadiyah and Ayn Zalah.

2. Southern region: 48 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Qal'at Salih, Qurnah, Nasiriyah, Chabaish, Shanafiyah, Busayyah, Jalibah and Artawi.

3. On 25 July 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 1027 hours and left in the direction of Kuwait at 1212 hours.

The second flight entered Iraqi airspace at 1130 hours and left in the direction of Kuwait at 1212 hours.

26 July 1995

1. Northern region: 15 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Zakho and Amadiyah.

2. Southern region: 44 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Chabaish, Busayyah, Artawi and Rifa'i.

27 July 1995

1. Northern region: 11 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

2. Southern region: 81 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Shatrah, Salman, Artawi, Busayyah, Hamzah and Ushbayjah.

3. On 27 July 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 1405 hours and left in the direction of Kuwait at 1600 hours.

The second flight entered Iraqi airspace at 1707 hours and left in the direction of Kuwait at 1858 hours.

28 July 1995

1. Northern region: 13 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Tall Afar, Amadiyah, Zakho and Aqrah.

2. Southern region: 56 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Jalibah, Artawi, Busayyah, Safwan and Shu'aybah.

29 July 1995

1. Southern region: 61 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Chabaish, Khidr, Jalibah, Busayyah and Artawi.

2. At 0555 hours on 29 July 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 0700 hours.

30 July 1995

1. Northern region: 14 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

2. Southern region: 70 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Basra, Qal'at Salih, Jalibah, Artawi and Busayyah.

3. On 30 July 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 1045 hours and left in the direction of Kuwait at 1157 hours.

The second flight entered Iraqi airspace at 1315 hours and left in the direction of Kuwait at 1450 hours.

31 July 1995

1. Northern region: 12 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Zakho, Dohuk, Amadiyah, Irbil, Mosul, Tall Afar and Ayn Zalah.

2. Southern region: 54 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Artawi, Chabaish, Nasiriyah, Samawah, and Busayyah.

3. On 31 July 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 1020 hours and left in the direction of Kuwait at 1312 hours.

The second flight entered Iraqi airspace at 1310 hours and left in the direction of Kuwait at 1325 hours.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/1995/666
7 August 1995

ORIGINAL: ENGLISH

LETTER DATED 7 AUGUST 1995 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey to you, and through you to the members of the Security Council, information about the latest developments in Croatia and about United Nations activities before and since the recent outbreak of hostilities there. It covers events up to midnight New York time on 6 August.

Following the Croatian Army's takeover of Sector West in May 1995, tensions have remained high in the area of operations of the United Nations Confidence Restoration Operation (UNCRO). Croatian Army mobilization, troop movements and live-firing exercises increased throughout June and July. In the meantime, the local Serb authorities failed to extend the necessary cooperation to UNCRO to permit it to implement the mandate granted to it by the Security Council in its resolution 981 (1995) of 31 March 1995.

On 19 July, the "Krajina Serb" army ("ARSK") and the forces loyal to Mr. Fikret Abdic launched offensives against the Bosnian Army V Corps in the Bihac pocket. The attacks were supported by Bosnian Serb shell fire along the southern confrontation line and were alleged to be in response to earlier military actions by the Bosnian Army. The following day, the Minister for Foreign Affairs of Croatia warned the Security Council that "the displacement of the population of Bihac ... would be considered a serious threat to the security and stability of Croatia ... [and] Croatia may be compelled to undertake necessary measures to secure its status and territory".

In an effort to stabilize the deteriorating military situation, the United Nations Peace Forces (UNPF) finally succeeded in arranging a meeting between the military leaders of the Croatian Army and "ARSK". The local Serb authorities subsequently cancelled the military meeting after they had accepted an invitation by the United Nations Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia, Mr. Thorvald Stoltenberg, to participate in a preliminary round of political talks at Geneva in early August.

The pace of events gathered momentum after 22 July, when the Presidents of Croatia and Bosnia and Herzegovina signed the Split Declaration, which committed the Croatian Government to assist the Bosnian forces militarily in the Bihac pocket. The Croatian Government maintained the position, already conveyed by

its Foreign Minister to the Security Council, that the fall of the Bihac pocket would threaten its national security interests.

On 28 July, the combined forces of the Croatian Army (HV) and Croat Defence Council (HVO) succeeded in capturing Bosansko Grahovo and Glamoc in Western Bosnia and Herzegovina, severing the Krajina Serbs' main supply road from Banja Luka to Knin. In response, the Krajina Serbs and the Bosnian Serbs declared states of war against the Croats and mobilized their respective armies.

Within Croatia, the Croatian Army continued a major build-up of troops around Sectors North and South. The Serbs in Croatia and Bosnia, meanwhile, convened a session of their joint Supreme Defence Council on 1 August at Drvar in Bosnia and Herzegovina. The meeting resulted in an appeal to all Serbs, including the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), to assist in the defence of Serb territory.

Meanwhile, on 29 July, my Special Representative, Mr. Yasushi Akashi, had met with President Tudjman to forestall what appeared to be an imminent military confrontation. President Tudjman expressed his Government's willingness to participate in political and military talks with Knin, but stressed that progress on the ground must necessarily follow. If such progress was not achieved in a matter of days, Croatia would take whatever measures it deemed necessary to redress the situation. Specifically the President insisted on the reopening of the Adriatic oil pipeline within 24 hours, rapid agreement on the opening of the Zagreb-Knin-Split railway and immediate progress on political re-integration of the Serbs on the basis of Croatia's Constitution and Law on Minorities. President Tudjman did, however, agree to send representatives to Geneva for the meeting sponsored by the International Conference on 3 August.

My Special Representative held emergency talks on 30 July with the local Serb authorities in Knin. He secured a six-point commitment that their forces would withdraw fully from the Bihac pocket and desist from further cross-border interference (see annex I). However, the Croatian Government considered these commitments insufficient. In a written reply, President Tudjman rejected the agreement, on the grounds that it did not meet the terms he had presented to my Special Representative (see annex II). The Croatian Government did, however, reaffirm its readiness to participate in the talks at Geneva.

On 3 August, at Geneva, Mr. Stoltenberg duly chaired the meeting of the representatives of the Croatian Government and the Croatian Serbs. The former took the position that the Croatian Serb leadership must immediately accept reintegration under the Croatian Constitution and Laws. The Croatian Serb delegation proceeded from the starting-point that there should be a cessation of hostilities, following which other issues could be discussed. After a series of bilateral meetings, the Co-Chairman presented to the two delegations a list of seven points covering, inter alia, the reopening of the oil pipeline, the reopening of the Zagreb-Knin-Split railway and negotiations on a final settlement on the basis of the "Zagreb-4" plan. The Croatian Serb delegation was inclined to accept the paper as a useful basis for progress, subject to clearance by its political leadership, but the Croatian Government delegation's view was that the paper did not address its fundamental concern for the Krajina Serbs to be reintegrated under the Croatian Constitution and Laws.

Following the Croatian Government's rejection of the paper prepared at Geneva, I telephoned President Tudjman on the evening of 3 August and urged the utmost restraint. At the same time, I instructed Mr. Stoltenberg to proceed to Zagreb the next morning and to continue to work closely with Mr. Akashi in trying to prevent an outbreak of hostilities.

Despite these United Nations efforts and similar efforts by various Member States, at 0500 hours on 4 August the Croatian Army launched a major offensive against the Krajina region (Sectors North and South). I immediately issued a statement expressing my regret at the outbreak of hostilities in Croatia, and urging the parties to respect international humanitarian law and the human rights of the affected population.

At the start of the Croatian offensive, a significant number of United Nations observation posts were overrun by the Croatian Army, and some came under indirect and direct fire. UNPF reported to me that on two occasions United Nations troops and Serb prisoners were used as human shields by Croatian Army units as they conducted their attacks. These incidents have been vigorously protested by the United Nations and the troop-contributing Governments concerned.

On the first day of the Croatian offensive, my Special Representative met with Mr. Hrvoje Sarinic, the Head of the Croatian Commission for Relations with UNCRO, to seek assurances for the safety of all United Nations personnel. The Force Commander, Lieutenant-General Bernard Janvier, took similar action with the Chief of Staff of the Croatian Army, General Cervenko. I regret to have to report that, these efforts notwithstanding, the United Nations has suffered a total of 18 casualties, all of which have also been protested. Three of these casualties (a Danish soldier and two Czech soldiers) were fatal and two other soldiers are in serious condition. I should like to take this occasion to convey to the Government and people of the Czech Republic and Denmark my condolences at their loss.

On 5 and 6 August, my Special Representative held a number of meetings with Mr. Sarinic to discuss temporary arrangements that would allow the United Nations, together with other international organizations, to cope with the major humanitarian difficulties caused by the Croatian offensive and to monitor the human rights situation on the ground. These discussions resulted in a nine-point agreement that was signed on 6 August (see annex III).

On 6 August in Geneva, the Co-Chairmen of the International Conference's Steering Committee, Mr. Carl Bildt and Mr. Thorvald Stoltenberg, along with the Foreign Minister of Spain, representing the Presidency of the European Union (EU), and the External Relations Commissioner of EU, met the Foreign Minister of Croatia, Mr. Mate Granic, to discuss the political consequences of the Croatian offensive. The Co-Chairmen of the International Conference and the representatives of EU strongly condemned the shelling of civilians and the attacks on United Nations personnel and expressed great concern at the humanitarian crisis which was unfolding. Foreign Minister Granic, who expressed confidence that the Croatian military operation would be completed within 24 hours, indicated that Croatia would investigate incidents in which United

Nations troops had been attacked and gave assurances about access for humanitarian organizations to civilians displaced by the fighting.

In the meantime, the Force Commander's representatives have been in contact with the military authorities of the Croatian Army and "ARSK". They have discussed the medical evacuation of United Nations personnel, and the need to alleviate the consequences of the military operations for the civilian population. A refugee crisis of major proportions has already started. Tensions remain high and the possibility of continuing hostilities cannot be ruled out.

I should be grateful if you would bring the above information to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

Annex I

Following the visit to Knin by Mr. Yasushi Akashi, the Special Representative of the Secretary-General of the United Nations, and General Bernard Janvier, the Force Commander of the United Nations Peace Forces (UNPF), and the important discussions held with the leadership in Knin, led by Mr. Martic and in which Mr. Babic and General Mrksic participated, and in the light of assessing the extreme seriousness of the situation in the area, the Republic of Serb Krajina (RSK) leadership reiterated their commitment to the peaceful solution of the conflict and for that purpose agree to the following:

1. That there are, and there will be, no troops or individual soldiers of the ARSK in the area known as the Bihac pocket.

2. That the ARSK forces will refrain entirely from directing any kind of fire (shell, mortar, tank, etc.) into the Bihac pocket from territory that they control, and expect that the V Corps shall in reciprocity refrain from any offensive action against that territory.

3. That troops and Military Observers of the United Nations deployed in territory under RSK control will be allowed unhindered access to the area bordering the Bihac pocket to monitor any crossing of the border in either direction by any forces.

4. That the military commander of the ARSK, General Mrksic, is prepared to have the first meeting with the commander of the Croatian army at any time under UNPF auspices at the Turanj crossing, including as early as 31 July 1995 at 1400 hours.

5. Reaffirming their commitment not to carry out cross-border activities, RSK reiterates its support for, and willingness to continue the talks with UNPF regarding the establishment of appropriate observation posts in the area of Mount Dinara, and to facilitate the implementation of the border-crossing points under the mandate of UNPF.

6. That no impediments will be placed in the way of delivery of humanitarian assistance to the Bihac pocket, based on the principle of assessed need, and with the understanding that humanitarian aid will be delivered to the Krajina region based on the same principle, as applied by the Office of the United Nations High Commissioner for Refugees.

30 July 1995
Knin

Annex II

Letter dated 30 July 1995 from the President of the Republic of Croatia addressed to the Special Representative of the Secretary-General

In response to your fax which I received today, at 2130 hours, together with the enclosed proposals from the Knin rebels, I would like to state the following:

1. It is surprising that in your letter you never mention UNCRO - the United Nations peace forces which were under this name given the mandate to act in Croatia by a Security Council resolution and, in contrast, you do mention the Knin leadership and RSK.

2. It is unacceptable for us to have UNCRO troops deployed only on the border towards the Bihac pocket. Our request was and remains that UNCRO forces undertake the monitoring of internationally recognized borders between the Republic of Croatia and Bosnia and Herzegovina, but at the same time also between the Republic of Croatia and Serbia, that is SRY, which is particularly significant because in these last few days new formations and equipment of the Yugoslav army have been transferred across the Danube.

3. In regard to what was stated under point 2 there can be no question of deploying United Nations border-crossing monitors only in the region of Dinara.

4. Serb rebel leaders again want to outwit United Nations Representatives and UNCRO for their own benefit. That is apparent from their proposal to allow humanitarian aid for Bihac under the condition that it is at the same time delivered to them.

5. Such proposals do not represent any basis for peaceful reintegration and do not contain a response to any of the conditions which I put forward in discussions with you on Saturday, 29 July 1995, when I expressly indicated that negotiations on a peaceful reintegration with Croatian Serbs from the occupied areas can commence under the following conditions:

(a) That Croatian authorities will not negotiate with Milan Martić, who has been placed on the list of war criminals by the International Court in the Hague or with anyone else representing him;

(b) That negotiations can commence if the oil pipeline passing through the occupied areas is operational in a period of 24 hours;

(c) That direct discussions commence immediately concerning the opening of all communication lines through the occupied areas, and in particular the railway line Zagreb-Split via Knin;

(d) That discussions are simultaneously undertaken concerning the immediate implementation of the Constitution of the Republic of Croatia in the

occupied areas as well as the provisions of the Constitutional Law concerning the rights of the Serb ethnic community.

6. Only on the basis of this can we reach a peaceful solution and with this aim I propose discussion between military and civilian representatives of Croatian authorities and the rebel Croatian Serbs from the occupied areas.

The President of the Republic of Croatia
Dr. Franjo Tudjman

(Original signed - sealed)

Annex III

Agreement between the Government of the Republic of Croatia and the United Nations Peace Forces (UNPF)-United Nations Confidence Restoration Operation (UNCRO) on temporary measures in the areas formerly known as "Sector North" and "Sector South"

We the undersigned,

Concerned by the effects of the hostilities on the lives of civilians in the areas formerly known as "Sector North" and "Sector South" (hereinafter referred to as the Areas),

Committed to minimizing the loss of civilian life from hostilities,

Dedicated to ensuring to the maximum extent possible the full protection of civilians and of their human rights,

Committed to providing for the humanitarian needs of the civilian population affected by the hostilities in the Areas,

Recognizing the need to ensure full respect for international human rights and humanitarian law,

Agree to the following:

1. That Croatia expresses its complete and unequivocal commitment to the full respect for the human rights of all individuals in the Areas concerned, and guarantees that those rights will be respected by all Croatian authorities.

2. That, further to clause 1 above, Croatia concurs that the United Nations Confidence Restoration Operation (UNCRO), together with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC) where appropriate, will monitor and report on the human rights situation in the Areas, and intervene with the Croatian authorities on human rights matters when appropriate.

3. That, further to clause 1 above, Croatia encourages all those previous inhabitants of the Republic of Croatia who so wish to remain peacefully in the areas over which Croatian authority is exercised. However, Croatia will allow, with full guarantees for security, the departure from those areas of all those who express their desire to do so, except those who committed violations of international criminal law. In the event of any such departures, Croatia pledges to allow UNCRO and humanitarian organizations, particularly UNHCR and ICRC, to assist and coordinate such departures in conformity with recognized international standards.

4. That full access by UNCRO and by humanitarian organizations, particularly UNHCR and ICRC, to the civilian population, for the purpose of providing for the humanitarian needs of the civilian population, will be assured by

the authorities of Croatia, to the extent allowed by objective security considerations.

5. That United Nations military observers and human rights monitoring elements of UNCRO will carry out surveillance immediately in all areas except where, in the opinion of the local UNCRO military commanders after consulting Croatian army commanders, the security situation does not permit for such surveillance.

6. That Croatia, and in particular its military authorities, will make every effort to ensure that civilian areas are not targeted by direct or indirect military fire as long as the hostilities continue.

7. That, if UNCRO commanders become aware that local military personnel have departed from a specific location where only non-combatants are present, and that the location is under fire by Croatian forces, this information will be immediately passed to the Headquarters of the Croatian Army for appropriate action.

8. That, in conformity with its international obligations, Croatia reiterates the inviolability of United Nations premises and establishments, and its vehicles, and all those therein, and thus commits all Croatian authorities to fully respect such inviolability. Croatia further emphasizes that none of its authorities will seek to remove any person or persons from such United Nations premises, establishments or vehicles.

9. That the future relations of the two parties in this matter will be defined as soon as possible.

(Signed) Hrvoje SARINIC
Republic of Croatia

(Signed) Yasushi AKASHI
United Nations Peace Forces

Zagreb
6 August 1995

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/50/339
S/1995/667
8 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Items 39, 75 and 81 of
the provisional agenda*
LAW OF THE SEA
STRENGTHENING OF SECURITY
AND COOPERATION IN THE
MEDITERRANEAN REGION
MAINTENANCE OF INTERNATIONAL
SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 7 August 1995 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

At the outset, I would like to make it very clear that the Permanent Mission of Turkey is not responsible for either the initiation or the continuation of this exchange of letters. However, this Mission will not refrain from responding to Greek allegations, as deemed necessary.

The letter from the Permanent Mission of Greece dated 20 July 1995 (A/50/303-S/1995/603) is devoid of any substance and factual argumentation.

The Turkish position is not threatening nor does it harbour any expansionist views. In our two previous letters, dated 21 June (A/50/256-S/1995/505) and 12 July (A/50/279-S/1995/568), we have reiterated that Turkey has no territorial ambitions and that she respects fully the territorial integrity of all her neighbours, including Greece. Now, we would like to invite Greece to announce that she does not harbour any territorial ambitions with regard to the so-called "lost homelands".

This may not be an easy task for the Government of Greece. The irredentist nature of the Greek foreign policy manifests itself in more than one way. To

* A/50/150.

give an example, the similarity between the "Memorandum on Greek Claims" submitted to the Government of the United States of America on 12 June 1942 by the Government of Greece and the current "Military Doctrine" of Greece aimed at "homelands of Hellenism" with reference to the classical ages, is most striking. In 1942, Greeks requested the extension of their boundaries in the north-east to the Rhodope Mountains and in the north-west to the Adriatic. In addition to the realignment of boundaries, the "questions" of Northern Epirus, the Dodecanese, Cyprus and Eastern Thrace were enumerated as issues that more directly concern Greeks. This mentality continues to present the principal threat not only to Turkey but also to peace and stability in the whole region.

On the issue of terrorism, there is ample evidence that the Kurdistan Workers Party, the "PKK", is supported by Greece, politically, morally, financially and logistically. From the dispositions of PKK militants apprehended in Istanbul and Izmir at the end of 1994 and the beginning of 1995, it is understood that terrorists have been trained in Greece and later sent to Turkey to stage violent attacks on tourist resorts. Furthermore, information available directly from the Greek press on the support given by prominent Greek parliamentarians to the PKK substantiates the "Greek connection".

In the past decade, some 5,000 civilians, mostly local women, children and old men, as well as teachers and members of health services, have fallen victim to terrorism in south-eastern Turkey. Greece has not expressed a single word of condemnation against this murderous campaign. On the contrary, she has chosen to employ this as a weapon against Turkey in her self-declared struggle against Ankara.

In order to be able to preach about democratic freedoms, Greece should first clear her own house from the shame of her treatment of the Turkish Muslim minority, the very existence of which is denied by the Greek authorities. Over the years, ethnic Turks have systematically been subjected to human rights abuses involving denials of civil and political rights, restrictions on freedom of movement and expression, interference with the free exercise of religion, denial of ethnic identity, degrading treatment and discrimination on the basis of ethnic origin. A case in point is the notorious article 19 of the Greek Citizenship Law, which stipulates that Greek nationals who are not of Greek ethnic origin may be stripped of their nationality by an administrative decree. The discriminatory attitude reflected by this article targeting the Turkish minority is indicative of Greece's policy towards its own citizens.

By refusing once again to engage in a process of meaningful dialogue, Greece offers self-declared evidence concerning which party is the source of tension in the Aegean. This Greek refusal stems from their expansionist approach towards the Aegean. In fact, Greeks claim territorial rights beyond their borders and then present these as non-negotiable rights. It is precisely due to this unacceptable approach that Greece refuses all forms of dialogue.

Notwithstanding the aforementioned, I would like to reiterate that the invitation extended by Turkey for a meaningful and constructive dialogue aimed at solving existing questions between the two countries still stands.

I would like to request that the present letter be circulated as a document of the General Assembly under items 39, 75 and 81 of the provisional agenda and of the Security Council.

(Signed) İnal BATU
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/668
8 August 1995

ORIGINAL: ENGLISH

LETTER DATED 4 AUGUST 1995 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 976 (1995) of 8 February, by which the Council decided to establish a United Nations peace-keeping operation in Angola (UNAVEM III).

As you are aware, Major-General Chris Abutu Garuba of Nigeria has been serving since 5 July 1993 as Chief Military Observer of UNAVEM II, and later as Force Commander of UNAVEM III. Major-General Garuba has performed his duties with professionalism and dedication during one of the most critical periods of UNAVEM's history. However, Major-General Garuba will be completing his tour of duty with the Mission as of 1 October to return to his national service.

Following the usual consultations, it is my intention to appoint Major-General Phillip Valerio Sibanda of Zimbabwe to replace Major-General Garuba. Major-General Sibanda is expected to arrive at his duty station in Angola in the second half of September.

I would be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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